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Bruce A. Wessel (admitted *pro hac vice*)  
Melissa R. McCormick (admitted *pro hac vice*)  
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840 Newport Center Drive, Suite 400  
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(949) 760-0991

-and-

Shawn Patrick Regan  
Thomas G. Slater (to be admitted *pro hac vice*)  
HUNTON & WILLIAMS LLP  
200 Park Avenue, 52nd Floor  
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(212) 309-1000

*Attorneys for Plaintiff*  
**WILLIAM J. KOCH**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILLIAM I. KOCH, an individual, :  
Plaintiff, :  
vs. :  
ERIC GREENBERG, an individual; ZACHYS :  
WINE & LIQUOR STORE, INC., a New York :  
corporation; and ZACHYS WINE AUCTIONS, :  
INC., a New York corporation, :  
Defendants. :  
X

PLEASE TAKE NOTICE that, upon the annexed Declaration of Shawn Patrick Regan, with exhibit, dated March 13, 2008, Plaintiff William I. Koch hereby moves this Court for an order pursuant to Local Civil Rule 1.3 (c) admitting *pro hac vice* Regine Rutherford to appear as counsel for Plaintiff William I. Koch.

## ORIGIN

U.S. DISTRICT COURT  
FILED  
2008 MAR 14 PM 2:49  
S.D. OF N.Y.

Dated: New York, New York

March 13, 2008

By:

  
Shawn Patrick Regan  
Thomas G. Slater (to be admitted *pro hac vice*)  
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*Attorneys for Plaintiff*  
**WILLIAM I. KOCH**

To: Anthony Paul Coles, Esq.  
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1133 Avenue of the Americas  
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Arthur J. Shartsis, Esq.  
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*Attorneys for Defendant Eric Greenberg*

Deborah A. Skakel, Esq.  
Lindsay A. Bush, Esq.  
Dickstein Shapiro LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714

*Attorneys for Defendants*  
*Zachys Wine & Liquor Store, Inc.*  
*Zachys Wine Auction, Inc.*

**DECLARATION OF SERVICE**

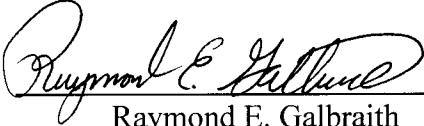
Raymond E. Galbraith, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am a Litigation Paralegal at the law firm of Hunton & Williams LLP, attorneys for Plaintiff.

That on March 14, 2008, I served a true copy of the attached Notice of Motion, via First Class Mail on counsel of record at the addresses listed below, by depositing the same in a duly enclosed and sealed wrapper, with the correct postage thereon, in an official letter box duly maintained by the Government of the United States of America within the State of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 14, 2008



Raymond E. Galbraith

To: Anthony Paul Coles, Esq.  
Patterson, Belknap, Webb & Tyler LLP  
1133 Avenue of the Americas  
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*Attorneys for Defendants*  
*Zachys Wine & Liquor Store, Inc.*  
*Zachys Wine Auction, Inc.*

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-and-

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Thomas G. Slater (to be admitted *pro hac vice*)  
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(212) 309-1000

*Attorneys for Plaintiff*  
**WILLIAM I. KOCH**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
WILLIAM I. KOCH, an individual, :  
Plaintiff, : 07 CV 9600 (BSJ)(DCF)  
vs. :  
ERIC GREENBERG, an individual; ZACHYS :  
WINE & LIQUOR STORE, INC., a New York :  
corporation; and ZACHYS WINE AUCTIONS, :  
INC., a New York corporation, :  
Defendants. :  
----- X

Shawn Patrick Regan, pursuant to 28 U.S.C. § 1746, hereby declares:

1. I am a member of the bar of this Court and counsel to Plaintiff William I. Koch. I make this Declaration in support of the admission pro hac vice of Regine Rutherford as an

attorney for Plaintiff William I. Koch in the above-captioned action, pursuant to Rule 1.3(c) of the Local Rules of the Southern District of New York.

2. Ms. Rutherford is admitted to practice law in the state of California. She is an associate in the Newport Beach, California office of the law firm of Irell & Manella LLP located at 840 Newport Center Drive, Suite 400, Newport Beach, California, (949) 760-0991.

3. Attached hereto as Exhibit "A" is a Certificate of Good Standing attesting to Ms. Rutherford's membership in good standing with the state of California. I am informed that since her admission to the bar of the state of California, Ms. Rutherford has never been reprimanded, nor has she had a grievance, complaint or order of discipline of any kind filed against her in any state or jurisdiction.

4. The New York office of Hunton & Williams LLP and the undersigned will continue to act as counsel of record in this case for purposes of service of papers and otherwise.

5. Granting of this application will not delay the trial of this matter or any proceedings presently pending before the Court, as the case is in its earliest stages and all are fully familiar with the facts herein.

**WHEREFORE**, Plaintiff William I. Koch respectfully requests that the Court admit Regine Rutherford to represent Plaintiff William I. Koch for all purposes before this Court in the above-captioned action.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 13<sup>th</sup> day of March, 2008.



Shawn Patrick Regan



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
 WILLIAM I. KOCH, an individual, :  
 Plaintiff, : 07 CV 9600 (BSJ)(DCF)  
 vs. :  
 ERIC GREENBERG, an individual; ZACHYS  
 WINE & LIQUOR STORE, INC., a New York  
 corporation; and ZACHYS WINE AUCTIONS,  
 INC., a New York corporation, :  
 ORDER GRANTING  
 PLAINTIFF'S MOTION FOR  
 ADMISSION REGINE  
 RUTHERFURD  
PRO HAC VICE  
 Defendants. :  
 :  
 ----- X

Upon the motion of Shawn Patrick Regan, attorney for Plaintiff William I. Koch, and said sponsor attorney's declaration in support;

**IT IS HEREBY ORDERED** that:

Applicant's Names: Regine Rutherford

Firm Name: Irell & Manella LLP  
 Address: 840 Newport Center Drive, Suite 400  
 City/State/Zip: Newport Beach, California 92660-6324  
 Phone Number: (949) 760-0991  
 Fax Number: (949) 717-6327  
 E-mail address: rrutherford@irell.com

is admitted to practice *pro hac vice* as counsel for Plaintiff William I. Koch, in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: \_\_\_\_\_  
 New York, NY

\_\_\_\_\_  
 United States District Judge



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER SERVICES CENTER**

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180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

March 4, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, REGINE RUTHERFURD, #216855 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 2001; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

  
Kath Lambert  
Custodian of Membership Records